

NOV. 18. 2005 4:46PM 866 741 0075

**NOV 18 2005**

NO. 4753 P. 1

**Nixon Peabody LLP**  
Attorneys at Law

Suite 900  
401 9th Street, N.W.  
Washington, D.C. 20004-2128  
(202) 585-8000

Fax: (202) 585-8080

**PRIVILEGE AND CONFIDENTIALITY NOTICE**

The information in this fax is intended for the named recipients only. It contains privileged and confidential matter. If you have received this fax in error, please notify us immediately by a collect telephone call to (202) 585-8000 and return the original to the sender by mail. We will reimburse you for postage. Do not disclose the contents to anyone. Thank you.

**FAX**

To:	Company	Fax #:	Telephone #:
1) Examiner James Sells	USPTO	571 273 8300	571 272 1237

INTERNATIONAL PHONE NUMBERS MUST INCLUDE COUNTRY & CITY CODE. SEE LOCAL WHITE PAGES FOR CODES NEEDED.

From: Corinne R. Gorski	Date: November 18, 2005	No. of Pages: 5 (including this page)	
-------------------------	-------------------------	--	--

**Comments:**

Examiner Sells,


As indicated by my assistant in her telephone call to you today, we realized that the Terminal Disclaimer that was filed on October 27, 2005 was filed with a Transmittal Form that included the incorrect application serial number. Therefore, we are refiling the Terminal Disclaimer along with the Notice of Appeal and Petition for a Third Month Extension of Time.

Please feel free to contact me if you have any questions.

Sincerely,  
Corinne R. Gorski  
Reg. No. 34,339  
Tel: (202) 585-8212

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

November 18, 2005  
Date

  
\_\_\_\_\_  
Signature  
Phoebe M. Jones  
\_\_\_\_\_  
Typed or printed name

Original of the transmitted document will be sent by:  
☐ First Class Mail    ☐ Overnight Mail    ☐ Hand Delivery    ☒ This transmission will be the only form of delivery of this document

**IF YOU DO NOT RECEIVE ALL OF THESE PAGES, PLEASE CONTACT THE FAX OPERATOR AS SOON AS POSSIBLE AT: (202) 585-8000. THANK YOU.**

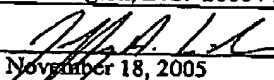
NOV 18 2005

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/816,043
		Filing Date	04/02/2004
		First Named Inventor	Frederick BLECKMANN
		Group Art Unit	1734
		Examiner Name	James D. SELLS
Total Number of Pages in This Submission	4	Attorney Docket Number	724917-000018 C3

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jeffrey A. Lindeman, Reg. No. 34,658 for Corinne R. Gorski, Reg. No. 34,339 Nixon Peabody LLP 401 9 <sup>th</sup> Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	November 18, 2005

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
<input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.	
<u>November 18, 2005</u> Date	<u>Phoebe M. Jones</u> Signature Phoebe M. Jones Typed or printed name